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SUBJECT: POST RESPONSE TO LEAHY VETTING IN IRAQ

REF: STATE 69301

[1](#)1. Post concurs with recommendations detailed in reftel.

[1](#)2. As the security situation continues to stabilize in Iraq, specific USG security assistance programs will need to further comply with Leahy Amendment vetting. Post recommends the programs detailed below be vetted according to provided guidelines. Post recommends the continuation of current Embassy vetting procedures for the IMET program of checking names against FBI databases at Post and Department databases via cable, and that vetting does not apply retroactively. Since 2006, Iraqi military personnel nominated for IMET have been vetted in accordance with standard Leahy procedures, using the automated fingerprint identification system through the FBI and then sending candidate nominations to the Department for vetting by NEA/I, INR, and DRL.

[1](#)3. Post recommends Leahy vetting begin as prescribed in this cable at the beginning of fiscal year 2009, October 1, 2008. Until this date, Post will develop new procedures and coordinate new policy with affected agencies and groups. At the beginning of fiscal year 2010, Post will re-examine current policy to determine whether Leahy vetting should expand to include more, or all, individuals in each unit and program. As security improves in Iraq, this modified procedure will be re-evaluated. To facilitate these efforts, Post requests that the Department send relevant vetting models in use for other countries, such as Afghanistan, Colombia, and Sri Lanka, as case studies.

INCLE-FUNDED PROGRAMS: PLAN OF ACTION

[1](#)4. Major Crimes Task Force (MCTF): Post recommends that any future individuals assigned to the MCTF be vetted using the Embassy's current Leahy vetting procedures for the IMET program. If credible allegations of human rights violations arise, assignment to MCTF will be deferred pending review and decision, per the procedures described in the Leahy Vetting Guide (April 2007). Post recommends that any future tactical component dedicated to the MCTF be vetted as a unit, including its commander and other senior officers.

[1](#)5. Commission of Integrity (CoI): Post recommends that, for purposes of Leahy vetting, only the CoI investigative unit and CoI security personnel -- departments whose staff are authorized to carry weapons -- merit categorization as a security force; other CoI departments (public affairs, public disclosure, etc.) do not function as a security force. Post agrees that CoI investigators and security personnel selected for USG-funded training should be vetted using Post's existing procedures for the IMET program. Post proposes to initiate vetting of CoI leadership, including the commissioner and deputy, directors general, and the heads of each CoI geographical unit, as well as vetting of investigators/security personnel nominated for USG-funded training at the beginning of FY09.

[1](#)6. Iraqi Corrections Service (ICS) Prisons and Detention Facilities, the Kurdistan Regional Government Prisons and Detention Facilities and MoLSA Juvenile Detention Facilities:

Post recommends that the top leadership, including the directors and deputy directors in the ICS and prison wardens and deputy wardens, where applicable, be vetted using Post's existing Leahy vetting for the IMET program.

¶7. Judicial Protection Service (JPS): At this time, the Higher Judicial Council (HJC) has yet to form an officially recognized JPS. Until a JPS is formally organized, Post proposes to submit senior HJC leaders directly responsible for overseeing security operations at the HJC and at Iraq's major crimes courts for vetting, following Post's existing procedures, at the start of FY09.

¶8. Iraqi Police Service (IPS): This State-funded IRRF program is not programmed yet, and Post recommends deferring a decision on whether to vet participants in this program at a unit or individual level until more information about the program is available.

¶9. IMET vetting will continue according to previous established procedures.

¶10. Post concurs that any organization receiving future funding subject to section 620J of the FAA will be Leahy vetted on a yearly basis. Newly funded units/organizations and their commanders will be vetted before receiving State funding.

CROCKER